(4)
(1)

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 3924 **Of 2005.**

PETITIONER :- Shalbh Shukla, son of Late Rajendra Prasad Shukla, aged about 25 years, resident of C/o Nagendra Shukla, Near Raja Bakery, Jungle Para, Nagri, Tahsil Nagri, District Dhamtari (Chhattisgarh)

V E R S U S

RESPONDENTS :- 1. State of Chhattisgarh, Through the Secretary, Tribal, Schedule Caste, Backward Class and Minority Development Department, Mantralaya, D.K.S. Bhawan, Raipur (Chhattisgarh),

2. District Co-ordinator, Tribal Welfare Department, Dhamtari, District Dhamtari (Chhattisgarh),

PETITION UNDER ARTICLE 226 & 227 OF CONSTITUTION OF INDIA

(98)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No. 3924/05

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12.9.2005 Petitioner by Shri H. B. Agarwal, Senior Advocate with Shri Pankaj Agarwal, Advocate. Respondents by Shri Vivek Sharma, Panel lawyer. Learned counsel for the petitioner submits that the petitioner filed an application on 27.9.2000 for appointment on compassionate ground as the petitioner's father working as Head Master died on 28.8.2000 in harness. The District Coordinator, Scheduled Tribe Welfare, Dhamtari vide letter dated 26.6.2003 recommended to the Commissioner, Scheduled Tribe and Scheduled Caste Development Department, Raipur to appoint the petitioner on the post of Assistant Grade-III. The Additional Director, vide letter dated 9.9.2004 wrote to the Secretary of the department recommending the appointment of the petitioner on the post of Assistant Grade-III on compassionate ground. Vide letter dated 27.7.2001 the Additional Director, Tribal, Scheduled Caste, Backward Class & Minority Welfare Department, Chhattisgarh, Raipur directed the District Coordinator, Tribal Development, Dhamtari, to appoint the petitioner as Assistant Grade-III at Dhamtari because no vacancy was available in District-Raipur. The Deputy Commissioner, Tribal and Scheduled Caste Development, Raipur, wrote to the District Coordinator, S.T. Welfare that the petitioner be not given any appointment as the case of compassionate appointment of the	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 3924/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

petitioner is under consideration because it falls under the category where the Government Servant died prior to the formation of the State of Chhattisgarh i.e. 1.11.2000.

The petitioner has filed this petition praying that the respondents be directed to appoint the petitioner on compassionate ground as the Govt. has already directed to appoint him on compassionate ground, which has been illegally quashed later on.

The petitioner prays that the petitioner be granted liberty to make a representation bringing all the facts into the notice of the respondents, to which learned counsel for the respondents has no objection.

Accordingly the respondents are directed to consider and decide the representation of the petitioner, without taking into consideration the order dated 4.5.2005 passed by the Deputy Commissioner, Tribal and Scheduled Caste Development, Raipur, within a period of six weeks from the date of receipt of the representation, if any, made by the petitioner.

In view of the foregoing the petition stands disposed of.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge